

From: Chris Arsenault
To: Microsoft ATR
Date: 1/28/02 2:05pm
Subject: Microsoft Settlement

To whom it may concern:

After having read the provided case documents, I have come to the following conclusion:

The proposed Final Judgement for United States v. Microsoft as currently written fails to provide a concise and enforceable order from the courts. It is inadequate to the task of addressing the needs of the People.

Given Microsoft's past history of compliance with court orders, I feel that it's business practices would be difficult to enforce without consequences being written into the Final Judgement.

Such consequences should be related to the grant of monopoly for copyrights and patents. In effect, should Microsoft continue predatory business practices in a monopolistic fashion, then the United States should revoke the grant of copyright to the various versions of Windows software and Internet Explorer, as well as the foundation source code. This code would be then be placed in the public domain. This removes the need for monitoring for compliance and reminds Microsoft that it undertakes business at the discretion of the People of the United States.

Additionally, the issue which is at the heart of the case - what constitutes a computing platform, is clearly left unanswered by the proposed final judgement as written. Without delving into a lengthy argument here, at least recognize that support for open source and public standards by which the Internet emerged is clearly a wise and prudent action which encourages innovation and discourages format lock-in.

For these reasons and many others, I strongly recommend that the court reject this proposed Final Judgement.

Sincerely,

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